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October 2, 2012

Hon. Randolph F. Treece
James T. Foley U.S. Courthouse
445 Broadway-Room 314
Albany, New York 12207

Re: Byrne & Storm, P.C. v. Handel & Weldon House
Case No.: 12-00716

Dear Judge Treece:

Thank you for making the Court available on October 5, 2012 at 9:00 a.m.; however the parties will not be able to attend at that time. In the meantime, Attorney Brownell and I are discussing our availability during the month of November and will advise the Court accordingly.

Thank you for your consideration in this matter.

Very truly yours,



MICHAEL P. DELANEY

MPD/dlp

cc: Conor Brownell, Esq.
Roy Handel